UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

SHAWN GILLIAM, SR.,

Plaintiff,

- against -

THE CITY OF NEW YORK; SGT. JAMES HEFFERNAN, TAX #896421; P.O. ANDREW PIZZANO, SHIELD # 5486, TAX # 902210; P.O. JAMES HU, SHIELD # 18657, TAX # 943378; P.O. MICHAEL DONOGHUE, SHIELD # 3779, TAX # 906138; P.O. CHARLES BORDENCA, SHIELD #827, TAX # 945400; P.O. JAMES REUTER, TAX #944928; and C.O. JOHN DOES #1-5; the individual defendant(s) sued individually and in their official capacities,

Defendants.

STIPULATION AND ORDER OF DISMISSAL

12-CV-6416 (NG) (CLP)

ECF

WHEREAS, the parties have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that

The above-referenced action is hereby dismissed with prejudice; and 1.

2. Notwithstanding the dismissal of this action in accordance with this agreement, the District Court shall continue to maintain jurisdiction over this action for the purpose of enforcing the terms of the settlement agreement reached between the parties and set forth in the Stipulation of Settlement executed by the parties in this matter.

MICHAEL HUESTON Attorney for Plaintiff 16 Court Street, Suite 3301 Brooklyn, NY 11241

By:

By: Michael Hueston Attorney for Plaintiff

Tobias Zimmerman Assistant Corporation Counsel

ZACHARY W. CARTER Corporation Counsel of the

Attorney for Defendants City, Donoghue,

Pizzano, Hu, Bordenca, Reuter and

100 Church Street, Bm. 3-178 New York, New York 10007

City of New York

Heffernan

SO ORDERED:

s/Nina Gershon

HON. NINA GERSHON UNITED STATES DISTRICT JUDGE

Dated: New York, New York <u>5-28</u>, 2014